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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,496	09/21/2004	Yen-Cheng Chen	AVIP0036USA	5495
27765	7590	11/01/2007		
NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116				
			EXAMINER	
			WASHINGTON, JAMARES	
			ART UNIT	PAPER NUMBER
			2625	
			NOTIFICATION DATE	DELIVERY MODE
			11/01/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/711,496	Applicant(s) CHEN ET AL.	
	Examiner Jamares Washington	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>August 9, 2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This action is responsive to applicant's amendment and remarks received on September 12, 2007. Claims 1-12 are currently pending with claims 1, 9, and 12 having been amended. Remarks and amendments to the specification and claims are addressed hereinbelow.

Specification

The amendment to paragraph 4 to correct a typographical error has been considered and entered. Examiner withdraws previous objection in light of the newly amended specification.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carl J. Tesavis et al (US 20030086129) in view of Masazumi Ito (US 4849790).

Regarding claim 1, Tesavis discloses an automatic document feeder (ADF) scanner
("Digital scanners use a number of transmissive or reflective electro-optical sensors to control the movement of paper through the automatic document feeding (ADF) portion of a scanner" at paragraph [2]) having a scanning module capable of positioning on a first scan position accurately ("... the CCD of the scanners scan modules.., also operate as sensors and are used to locate and measure mechanical offsets from feeder to scan module and from home to scan area of the glass platen..." at paragraph [8]), the automatic document feeder scanner comprising:
a housing (Fig. 2);

an automatic document feeder installed on the housing for conveying a first document (Fig. 2 numeral 34 "ADF portion" at paragraph [20]);

a first predetermined pattern installed on a bottom surface of the automatic document feeder (Fig. 3 numeral 27 "White Patch"), the first predetermined pattern having a first specific relative position relation with the first scan position (Fig. 3 numerals 27 and 29 "White patch and Lower camera" respectively). The first scan position happens to be the home position, which is relatively set by the "white patch" detection.

Tesavis et al fails to disclose or suggest the automatic document feeder detachably installed on the housing.

Ito, in the same field, teaches an automatic document feeder detachably installed on a housing (Fig. 12 and Col. 4 lines 62-68 and Col. 5 lines 1-15).

The claim would have been obvious because the technique for improving a particular class of devices was part of the ordinary capabilities of a person of ordinary skill in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a detachable automatic document feeder as taught by Ito for the automatic document feeder attached to the scanner as disclosed by Tesavis et al to allow for portability of the automatic document feeder.

Regarding claims 2, 7, and 8 the rejections as advanced in the previous Office Action are incorporated herein by reference with the only changes being that of the amendment as rejected in claim 1 above. The applicant, in the response, did not address these rejections concerning the art; examiner shall maintain previous grounds of rejection.

3. Claims 3-6 and 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tesavis and Ito as applied to claim 1 above, and further in view of Jenn-Tsair Tsai et al (US 6381043 B1).

Regarding claims 3-6 the rejections as advanced in the previous Office Action are incorporated herein by reference with the only changes being that of the amendment as

rejected in claim 1 above. The applicant, in the response, did not address these rejections concerning the art; examiner shall maintain previous grounds of rejection.

Regarding claim 9, the Tesavis-Tsai combination discloses an automatic document feeder scanner having a scanning module capable of positioning on a first scan position accurately, the automatic document feeder scanner comprising:

- a housing (Fig. 2, Tesavis);

- an automatic document feeder detachably installed on the housing for conveying a first document (Fig. 2 numeral 34 "ADF portion" at paragraph [20]. Tesavis; see rejection of claim 1 in reference to the ADF being detachably installed),

- a first predetermined pattern installed on a bottom surface of the automatic document feeder, the first predetermined pattern having a first specific relative position relation with the first scan position ("...the CCD 411 further moves a distance L2 from the point A to the scan start point to start a scanning operation. The distance L2 is predetermined to make the scanning operation start when or immediately before the CCD 411 reaches the document line 421" at column 7 line 3". Tsai);

- a scanning module installed in the housing for capturing image data of the first document (Fig. 2 numerals 26. Tesavis);

- a memory installed in the housing for storing a first mapping table, which maps image data of the first predetermined pattern captured by the scanning module onto a variety of first lengths ("The platen type label has features which allows the scanner system to identify the type and size of the attached platen by capturing an image of it and analyzing characteristics of the image compared to known values as well as the location

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and size of the imaging area" at paragraph [29]. Tesavis) "Known values" would have to be kept in a memory in the imaging device.; and

a processor installed in the housing for controlling the scanning module and the ADF (Fig. 1 numeral 15 "PPC"), and for finding out a first length corresponding to the captured image data in the mapping table according to the captured image data of the first predetermined pattern captured by the scanning module ("Initially the PPC will command the platen motor to move the lower camera from home to a distance in steps equal to the length of the move 38 in the scan direction" at paragraph [29]. Tesavis), and determining the distance between the scanning module and the first scan position according to the found first length ("Fig. 4 numeral 422 with two ending points being point J and point K at a distance $L1+L2$ away from the first scan position "S". Tsai). *All motivation for combinations made are incorporated by reference from previous rejections made above.

Regarding claims 10-12 the rejections as advanced in the previous Office Action are incorporated herein by reference with the only changes being that of the amendment as rejected in claim 9 above. The applicant, in the response, did not address these rejections concerning the art; examiner shall maintain previous grounds of rejection.

Response to Arguments

Applicant's remarks: With regard to the argument that "the first predetermined pattern is not installed on the bottom surface of the glass platen of the scanner, but rather

on the bottom surface of the ADF” and that Tesavis teaches in Fig. 3 and 4 that the white patch is installed on an underside 48 of the glass platen 41 of the scanner, and does not teach that the white patch is installed on a bottom surface of the ADF.

Examiner’s response: Figs. 2 and 3 of Tesavis show that the white patches 27 are actually located in the automatic document feeder portion of the device. The platen glass 48 portion of the device uses the Platen Type Label 49 for alignment of a document as shown in Fig. 4, which is actually located on the underside of the platen glass 48 portion. The platen type label of figs. 2 and 3 is depicted by numeral 30, which is different from the white patches, which are depicted by numeral 27. Claims 2, 7, and 8, which depend from claim 1, rejections as discussed above are therefore maintained from the previous office action with rejection of the newly amended claim 1. Claims 3 and 9 rejections are therefore maintained with rejection support from Ito for the amended portion of the aforementioned claims.. Claims 3-6 and 10-12 are dependent upon claims 1 and 9 and the rejections are thus maintained from previous office action.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamares Washington whose telephone number is (571) 270-1585. The examiner can normally be reached on Monday thru Friday: 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jamare Washington
Junior Examiner
Art Unit 2625


JW


KING Y. POON
SUPERVISORY PATENT EXAMINER

October 26, 2007